IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 723 OF 2000

Bankelal Ramkishore Yadav and Ors. .. Petitioners
V/s.
State of Maharashtra and Ors. .. Respondents

Mr. M.P. Vashi for the Petitioners
Mr. R.J. Mane, AGP. for the Respondent Nos. 1 to 3.
Ms. Payal Fernandes i/b. Mr. S.J. Panicker for the Respondent Nos. 4 and 5.

CORAM : F.I. REBELLO &
S.P. KUKDAY, JJ.
DATED : 14.03.2005

P.C.:-

1. Rule. Heard forthwith. The Respondent Nos. 4, 5 seek time. Adjournment rejected on the ground that the matter is pending in this Court since September, 2000. Apart from that, the nature of the relief is limited.

2. It is the case of the Petitioners that they are teachers employed with Respondent No. 5, which is run by the Respondent No. 4. It is an aided recognised school. Inspite of that, the Respondent Nos. 4 and 5 have failed to implement the recommendations of the Vth Pay Commission. Considering the directions issued by the Respondent Nos. 1, 2 and 3, the Respondent Nos. 4 and 5 are bound to pay the Petitioners, salary in terms of the Vth Pay Commission Scales, as has been paid in all other recognised aided schools.

3. The Petitioners have been making representations, but till date, no steps have been taken by the Respondents.

Considering the above, the following order:-

I. The Respondent No. 3 is directed to consider the legal notice received by the counsel for the Petitioners dated 12.1.2000, as a Representation by the Petitioners. The Respondent No. 3 thereafter to hear the Petitioners by themselves or through their representatives and the Management by themselves or through their Representatives and after hearing both the parties and seeking such additional information, as he may desire, dispose of the said Representation within a period of twelve weeks from today.

II. On the Representation being disposed of, the Respondent Nos. 4 and 5 are directed to comply with the said directions within a period of eight weeks thereafter, subject of course to whatever remedy they may have in law.

III. Rule made absolute accordingly.

4. All parties to act on an ordinary copy of this order, duly authenticated by the Court Associate.

(F.I. REBELLO, J.)

(S.P. KUKDAY, J.)